



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter B. Madoff  
Serial No. : 09/392,018  
Filed : September 8, 1999  
Title : OPENING PRICE PROCESS FOR TRADING SYSTEM

Art Unit : 2165  
Examiner : Forest Thompson Jr.

**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In reply to the examiner's Statement of Reasons for Allowance, that accompanied The Notice of Allowance dated January 26, 2006, Applicant submits the following remarks.

Applicant's claims are allowable for the reasons given by the examiner and for the reasons of record.

The examiner stated:

The most closely applicable prior art of record is referred to Rickard et al. (US Patent 6,016,483). Rickard et al. also teaches a method and apparatus for determining a set of opening prices and assigning allocation of imbalance after the opening price has been determined. Rickard et al. alone or in combination with another prior art fails to render obvious the application's above-mentioned underlined unique features(s).

Applicant also adds that Rickard fails to suggest any assignment of allocation that is based on posting an allocation message.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 1, 2006  
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Marie Collins  
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Marie Collins  
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Attorney's Docket No.: 10575-004001

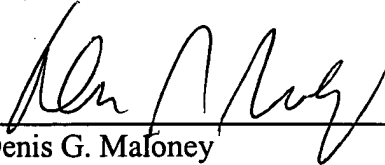
The prior art made of record and not relied is seen as neither describing nor suggesting Appellant's invention whether taken separately or in combination with the art of record.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

2/1/06



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